

Amendment's Docket No.: 5489.P038X

Patent

In re the Application of: Wayne V. Sorin

(inventor(s))

Application No.: 09/811,365

Filed: March 16, 2001

For: METHODS AND APPARATUSES FOR MEASURING THE POWER OF SPECTRUM OF  
OPTICAL SIGNALS

(title)

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

SIR: Transmitted herewith is an Amendment for the above application.

☐ Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.

☐ A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

☒ No additional fee is required.

☐ Information Disclosure Statement, Form PTO-1449, and cited references, fee (not resubmitted)

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra	Rate	Additional Fee	Rate	Additional Fee
Total Claims	* 49	Minus	** 50	0	X9	\$	X18	\$ 0
Indep. Claims	* 6	Minus	*** 6	0	X42	\$	X84	\$ 0
<input type="checkbox"/> First Presentation of Multiple Dependent Claim(s)					+140	\$	+280	\$
					Total Add. Fee	\$	Total Add. Fee	\$ 0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on August 18, 2003

Date of Deposit

Beverly Kehoe Shea

Name of Person Mailing Correspondence

Beverly Kehoe Shea  
Signature

August 18, 2003

Date

\_\_\_\_\_ A check in the amount of \$ \_\_\_\_\_ is attached for presentation of additional claim(s).  
\_\_\_\_\_ Applicant(s) hereby Petition(s) for an Extension of Time of \_\_\_\_\_ month(s) pursuant to  
37 C.F.R. § 1.136(a).

\_\_\_\_\_ A check for \$ \_\_\_\_\_ is attached for processing fees under 37 C.F.R. § 1.17.  
\_\_\_\_\_ Please charge my Deposit Account No. 02-2666 the amount of \$ \_\_\_\_\_.

**A duplicate copy of this sheet is enclosed.**

X \_\_\_\_\_ The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the  
following fees associated with this communication or credit any overpayment to Deposit Account  
No. 02-2666 **(a duplicate copy of this sheet is enclosed):**

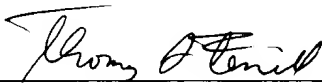
X \_\_\_\_\_ Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of  
extra claims.

X \_\_\_\_\_ Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: 8-18-03

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\_\_\_\_\_  
Thomas S. Ferrill

Reg. No. 42,532



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,365	03/16/2001	Wayne V. Sorin	5489P038X	2223

Lester J. Vincent  
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**COPY  
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JUL 23 2003

EXAMINER	
HEALY, BRIAN	
ART UNIT	PAPER NUMBER

2874

DATE MAILED: 07/21/2003

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
LOS ANGELES

Please find below and/or attached an Office communication concerning this application or proceeding.

**ENTERED**

JUL 23 2003

STATUS

JUL 30 2003

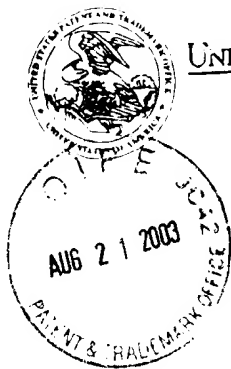
Date 8/21/2003 Client: Novera Optics, Inc.  
Docket Initials mb 5489.P038x  
Dock. Sup. Initials peu  
Atty Initials LJV TSF  
Pat/Ser/Reg 811,365 200a X

**Description:**

Response due, notice of non-compliant amendment

7/23/2003

Natalie Adair



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

Paper No.

## Notice of Non-Compliant Amendment (Voluntary Revised Practice)

The amendment filed 6/12/03 under the voluntary revised amendment practice guidelines<sup>1</sup>, published in the Official Gazette on February 25, 2003 (*Amendments in a Revised Format Now Permitted*, 1267 Off. Gazette 106), does not fully comply with minimal requirements of the voluntary practice. In order for the amendment to be entered, it must either (1) comply with the guidelines of the voluntary revised amendment practice (which practice invokes waivers of certain 37 CFR 1.121(a)-(d) requirements) or (2) comply with current 37 CFR 1.121 requirements.

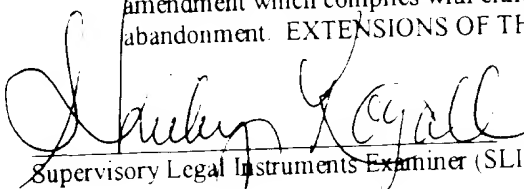
THE FOLLOWING ITEM(S) IN APPLICANT'S AMENDMENT CAUSES THE AMENDMENT TO BE NON-COMPLIANT WITH THE VOLUNTARY REVISED AMENDMENT PRACTICE.

- ☐ 1. A complete listing of all of the claims is not present in the amendment paper.
- ☐ 2. The listing of claims does not include the text of all claims currently under examination.
- ☐ 3. The claims of this amendment paper have not been presented in ascending numerical order.
- ☒ 4. Each claim has not been provided with a status identifier, and, as such, the individual status of each claim cannot be determined.
- ☐ 5. Other: \_\_\_\_\_

LIE: Check one of the following boxes:

- ☐ **PRELIMINARY AMENDMENT:** Applicant is given ONE MONTH from the mail date of this letter to re-submit the amendment in compliance with either the guidelines of the revised amendment practice or current 37 CFR 1.121. Failure to comply with either the current 37 CFR 1.121 practice or with the voluntary practice will result in non-entry of the amendment and examination on the merits will commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be a *bona fide* response, applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit an amendment which complies with either the voluntary practice guidelines or current 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

  
Supervisory Legal Instruments Examiner (SLIE)

<sup>1</sup> For further explanation of the guidelines of the revised amendment format, please see the posted notice and sample amendment format at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflver.pdf> and <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/formatrevamdtprc.pdf>